



an overview of...

BLACKSBURG'S NOISE &
MASS GATHERING
ORDINANCE

Revision – 10/16/02



Background

On February 9, 1993, the Town of Blacksburg adopted Chapter 13 of the Blacksburg Town Code, as amended. Chapter 13 is an ordinance establishing regulations of certain large outdoor gatherings and the use of amplified sound equipment and amending the noise control provisions of the Town Code.

In adopting the ordinance, the Town declared that at certain levels noise can be detrimental to the health, welfare, safety and quality of life of residents of the Town, and in the public interest, noise should be restricted. Additionally, certain mass outdoor gatherings, using amplified sound, create noise disturbances and related adverse effects for citizens of the Town. It is the duty of the Town, in service to the citizens, to reduce and eliminate where possible, noise disturbances and to prohibit unnecessary, excessive, harmful and annoying noises.

Noise Disturbances – Generally

Subject to the exceptions listed in this pamphlet, the playing of radios, televisions, musical instruments and similar devices in a manner that the character, volume and duration of the noise disturbs reasonable persons within the Town; or in such a manner to be plainly audible at a distance of 50 feet from the source in which it is located; or in such a manner that the sound is heard across residential property lines or through partitions (walls, floors, ceilings) common to two dwelling units within a building, shall be a violation of the chapter. ***Any person violating this ordinance will be subject to receiving a summons without first receiving a warning.*** The ordinance is classified as a class four misdemeanor and upon conviction, a fine of not less than \$100 nor more than \$250 will be imposed. Each day the violation is committed or permitted to continue, shall constitute a separate offense. Loud or excessive noise emanating from vehicles is also a violation of the noise ordinance. Motor vehicle operators should note that a verbal or written warning need not be given for a violation of this section due to the mobility of the vehicle and the safety risks involved.

Any loud speakers, public address systems or other amplifying devices used between the hours of 10:00 p.m. and 10:30 a.m. may not be audible through walls, ceilings, etc. or across property lines. Explosive fireworks, similar devices and yelling, shouting or whistling are subject to 10:00 p.m. and 8:00 a.m. restrictions.

Construction and the use of construction tools such as; chain saws, power tools, heavy equipment, pneumatic hammers, etc., shall cease between the hours of 7:00 p.m. and 7:00 a.m. except in the case of an emergency under a permit granted by the Town Manager or his designee.

Exceptions

The ordinance shall have no application to sound generated by public speaking or assemblies conducted on public property; radios, sirens, and horns on emergency vehicles; parades, fireworks displays, special public events; activities on or in government or publicly owned property and facilities, or school athletic facilities; fire alarms or burglar alarms; religious events or services and agricultural tools and lawnmowers except those that create a noise disturbances between the hours of 10:00 p.m. and 7:00 a.m. Commercial vehicle and trash collection vehicle operation. Except in the Downtown Commercial Zoning District, the operation of a commercial vehicle or trash collection vehicle within 100 yards of a residence, between the hours of 10:00 p.m. and 7:00 a.m., in such a manner as to create a noise disturbance.



Registration of Equipment

The use of sound amplifying equipment in or over the Town is permitted only in instances where the equipment is registered with the Town. The original must be filed with the Town Clerk at least 48 hours in advance and will be considered as a certificate of registration. A copy must be in the possession of the person operating the equipment and shall be promptly shown to any police officer upon request. In case of an emergency, the Town Manager may waive the 48 hours deadline; that waiver shall be in writing and filed in the office of the Town Clerk. Registration is not required for private parties, however the noise ordinance is in effect 24 hours daily.

Information that must be included in the application is as follows, unless the element would not apply:

- (1) The name and address of the applicant.
- (2) The address of the place of business of the applicant.
- (3) The license number of any sound truck to be used by the applicant.
- (4) The name and address of the person who owns the sound amplifying equipment.
- (5) The name and address of the person having direct charge of the sound amplifying equipment.
- (6) The names and addresses of all persons who will use the sound amplifying equipment.
- (7) The location where sound amplifying equipment will be employed.
- (8) The proposed hours of operation, which shall not begin before 10:30 a.m. or extend past 5:30 p.m. of any day.
- (9) The proposed dates of operation.
- (10) A general description of sound amplifying equipment to be used.

Mass Outdoor Social Gatherings

A mass outdoor social gathering is defined as: any social event conducted outside or in a partially enclosed structure, on public or private land in the Town, to which 200 or more people are invited or expected to attend, or as people who happen to show up, or a gathering where five hundred or more people are in attendance.

Any person, group of people acting in concert, corporation, association, society, club partnership or organization that operates, permits operation on land that the person owns, or sponsors a mass outdoor gathering must first obtain a permit from the Town.

Mass Outdoor Social Gatherings

Permit Information

In addition to the information about the amplifying equipment, the mass gathering permit request must contain the following information:

- (1) information on plans to limit the sound from the mass outdoor gathering, so that the effects of the noise disturbances are minimized or eliminated;
- (2) the name, address, and telephone number of the owner or owners of the site for the event;
- (3) the name, address, and telephone number of the sponsor or sponsors;
- (4) the name, address, and telephone number of a contact person representing the sponsor or owner, or both, who shall be available at the provided telephone number during the event and authorized to address problems related to the event that affect private citizens;



- (5) the proposed location of the event; the boundaries of the event site, and the land use characteristics of the area surrounding the site;
- (6) the expected number of persons to attend the event;
- (7) the date and beginning and ending times for the use of amplified sound and the beginning and ending times of the event which in both cases shall not precede 10:30 a.m. or exceed 10:00 p.m. of any date;
- (8) an indication that plans and provisions for the following have been addressed: provision of at least one toilet facility per fifty people; sufficient refuse containers; and provision of ample, designated parking areas, or written permission from the owners of other land use for parking;
- (9) information that all Town and State parking laws, and all Town noise control laws, will be complied with;
- (10) information of plans to clean up the event site and surrounding area after the event;
- (11) information that notice of the event, and names, telephone numbers, and addresses of the owner, sponsor and contact person, have been given to area residents;
- (12) information that the owner or sponsor has arranged for a sufficient number of monitors for the event.

Applications for mass gathering permits should be submitted to the Town Clerk at least 30 days prior to the event.

Message from the Chief of Police

Part of the mission statement of the Town of Blacksburg is to promote and sustain a superior quality of life. The noise and mass gathering ordinance will allow all Town citizens to enjoy recreational and social activities without infringement upon the peace and security of others. We urge all citizens to contribute to our superior quality of life by following the tenets of the ordinance. This and other Town ordinances may be viewed online at: www.blacksburg.gov

